

**SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM**

**SUBJECT:** REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FT TO 7 FT FOR A PROPOSED ADDITION TO AN EXISTING HOME; (DEBORAH S. MITCHELL, APPLICANT).

**DEPARTMENT:** Planning & Development **DIVISION:** Planning

**AUTHORIZED BY:** Earnest McDonald  **CONTACT:** Earnest McDonald **EXT.** 7430

**Agenda Date** 06-23-03 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

**MOTION/RECOMMENDATION:**

1. **APPROVE** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FT TO 7 FT FOR A PROPOSED ADDITION TO AN EXISTING HOME; (DEBORAH S. MITCHELL, APPLICANT); OR
2. **DENY** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FT TO 7 FT FOR A PROPOSED ADDITION TO AN EXISTING HOME; (DEBORAH S. MITCHELL, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(Commission District #4, Henley)

(Earnest McDonald, Principal Coordinator)

<b>GENERAL INFORMATION</b>	DEBORAH S. MITCHELL, APPLICANT 2342 MARKINGHAM ROAD MAITLAND, FL 32751	R-1A DISTRICT, LDC SECTION 30.206(c)
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• APPLICANT PROPOSES AN ADDITION TO THE REAR OF AN EXISTING HOME THAT WOULD ENCROACH 23 FT INTO THE MINIMUM REAR YARD SETBACK</li> <li>• A REAR YARD VARIANCE FROM 30 FT TO 7 FT IS REQUESTED.</li> </ul>	
<b>STAFF FINDINGS</b>	<ul style="list-style-type: none"> <li>• STAFF HAS DETERMINED THAT AN ADDITION COULD BE CONSTRUCTED TO THE FRONT OF THE EXISTING HOME, WITHOUT ENCROACHMENT INTO THE MINIMUM FRONT OR SIDE YARDS.</li> <li>• BASED ON THE PREVIOUS FINDING, STAFF BELIEVES THE GRANT OF THE REQUESTED VARIANCE WOULD CONFER SPECIAL PRIVILEGES DENIED TO OTHER PROPERTIES IN THE R-1A DISTRICT BY ALLOWING FOR SUBSTANTIAL ENCROACHMENT INTO THE MINIMUM REAR YARD SETBACK WITHOUT THE DEMONSTRATION OF A HARDSHIP.</li> </ul>	

	<ul style="list-style-type: none"><li>• THE REQUESTED VARIANCE WOULD NOT BE THE MINIMUM THAT WOULD MAKE POSSIBLE THE REASONABLE USE OF THE PROPERTY. REASONABLE USE OF THE PROPERTY WOULD BE RETAINED WITHOUT THE GRANT OF THE REQUESTED VARIANCE.</li><li>• THE REQUESTED VARIANCE WOULD NOT BE COMPLIANT WITH THE LAND DEVELOPMENT CODE AND WOULD POTENTIALLY INCREASE THE BULK OF STRUCTURES BEYOND ESTABLISHED LIMITS WITHIN THE NEIGHBORHOOD.</li></ul>
<b>STAFF RECOMMENDATION</b>	<ul style="list-style-type: none"><li>• STAFF RECOMMENDS DENIAL OF THE REQUESTED REAR YARD SETBACK VARIANCE FROM 30 FT TO 7 FT.</li><li>• STAFF BELIEVES THE APPLICANT HAS FAILED TO DEMONSTRATE A HARDSHIP AND REASONABLE USE OF THE PROPERTY COULD BE RETAINED WITHOUT THE GRANT OF A VARIANCE.</li><li>• AN ADDITION, ALTHOUGH SMALLER IN SIZE, COULD BE CONSTRUCTED TO THE FRONT OF THE EXISTING HOME, WITHOUT ENCROACHMENT INTO THE MINIMUM 7.5 FT SIDE YARD OR 25 FT FRONT YARD SETBACKS.</li><li>• IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE IMPOSITION OF THE FOLLOWING CONDITION:<ul style="list-style-type: none"><li>○ ANY VARIANCE GRANTED SHALL APPLY ONLY TO THE PROPOSED (REAR) ADDITION DEPICTED ON THE ATTACHED SITE PLAN.</li></ul></li></ul>

# PLAT OF SURVEY DESCRIPTION

Lot 4, BLOCK "D", ENGLISH ESTATES UNIT THREE  
as recorded in Plat Book 14, Page (s) 64, 65, Public Records of Seminole County

